

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mirko Pogutter, et al

Serial No. 10/580,638

Examiner: S. Young

Filed: February 8, 2007

Art Unit: 1626

For: METHOD FOR PRODUCING {N-[1-(S)-CARBALKOXY-3-PHENYLPROPYL]-S-ALANYL-2S, 3AR, 7AS-OCTAHYDROINDOLE-2-CARBOXYLIC ACID} COMPOUNDS

**SECOND PRELIMINARY AMENDMENT AND
SUPPLEMENTARY RESPONSE TO RESTRICTION REQUIREMENT**

Via EFS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Second Preliminary Amendment and Supplementary Response replaces the Response filed on September 22, 2008 that was filed in reply to the Restriction Requirement mailed August 28, 2008.

Amendment to the Claims begin on page 2.

Remarks begin on page 8.